



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION II
26 FEDERAL PLAZA
NEW YORK, NEW YORK 10278

341115



CERTIFIED MAIL - RETURN RECEIPT REQUESTED

December 3, 1984

Re: Duane Marine Salvage Corp. Facility, 26 Washington
Street, Perth Amboy, New Jersey

Dear Sir or Madam:

The United States Environmental Protection Agency ("EPA") has documented the release and threatened release of hazardous substances, pollutants, and contaminants at the Duane Marine Salvage Corp. facility, located at 26 Washington Street, Perth Amboy, New Jersey. The property upon which the subject facility is located is presently owned by Edward Lecarreux.

Under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. §9601 et seq., and other laws, parties responsible for the release or threatened release of hazardous substances into the environment from an uncontrolled hazardous waste facility may be liable for all monies expended by the federal government to take necessary response actions at such facilities. Response actions may entail such activities as investigation, planning, removal, and remedial actions at these facilities.

Responsible parties may also be held liable for any enforcement costs incurred by the government. Under CERCLA, responsible parties include the current and past owners and operators of a facility as well as persons who generated the hazardous substances or who were involved in transport, treatment, or disposal of those substances at the facility.

EPA has information which indicates that your company is a responsible party within the intent of CERCLA. This information includes the records of Duane Marine and hazardous waste manifests in the possession of EPA.

EPA has determined that an Immediate Removal Action, as defined in the National Contingency Plan, 40 C.F.R. Part 300, is necessary at the Duane Marine facility to prevent the immediate and significant risk of harm to human health and the environment, as defined at 40 C.F.R. §300.65(a). The Immediate Removal Action contemplated by EPA will include the removal of all containerized wastes from the Duane Marine facility and proper disposal of those wastes. Disposal of the wastes currently on the Duane Marine facility may include removal of the wastes to a secure landfill, incineration, or other appropriate disposal methods. Liquids shown to be compatible by analysis will be bulked and disposed of properly.

Obviously contaminated surficial soils at the Duane Marine facility will be removed for disposal. Subsurface soil samples will be collected to determine the extent of any further contamination remaining.

Due to the health threat posed by direct contact with the wastes at the facility, it is necessary to provide 24-hour security in order to prevent access by unauthorized persons. In addition, a secure perimeter fence must be constructed around the facility.

EPA estimates that the total initial response action as summarized herein, if performed by the federal government, will cost approximately \$1,144,000 (ONE MILLION ONE HUNDRED AND FORTY-FOUR THOUSAND DOLLARS).

EPA will conduct an Immediate Removal Action at the Duane Marine facility unless responsible parties undertake such an action immediately.

The enclosed Administrative Order in which your company appears as a respondent, has been issued pursuant to the authority of §106(a) of CERCLA, 42 U.S.C. §9606(a). The Order requires that your company and the other responsible parties named perform actions needed to effectuate a proper immediate removal at the Duane Marine facility. The Order also requires that either individually or through a representative, the named parties both inform EPA of their intention to comply and implement the required removal action. If EPA does not receive confirmation from one or more responsible parties that the removal action will be performed according to the requirements of the Order,

or if the responsible parties fail to commence and complete the removal action within the time period set forth in the Order, then EPA will commence or complete the work, as circumstances may require, and will collect its total costs from the respondents.

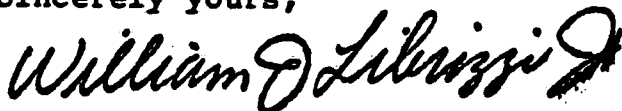
EPA anticipates a request by the responsible parties to attend a conference to discuss this Order. See paragraph 58 at page 20 of the enclosed Order. Accordingly, we have reserved a time and place for a conference among all named parties. The conference will be held on Thursday, December 13, 1984, beginning at 10 A.M., Room 305C, 26 Federal Plaza, New York, New York. Federal Plaza is located at the corner of Broadway and Duane Street in downtown Manhattan.

Please note that EPA intends to proceed with the Immediate Removal Action at the Duane Marine facility which is the subject of the enclosed Order unless it is notified in writing on or before December 28, 1984 in accordance with paragraph 28 at page 12 of the enclosed Order, that one or more responsible parties intends to undertake the specific immediate corrective actions delineated in the Order.

We have enclosed a list of all responsible parties' addresses, should you desire contact before the December 13th conference.

Should you have any questions concerning the above, please contact Ms. Janet Feldstein, Environmental Engineer, Site Investigation and Compliance Branch, Emergency and Remedial Response Division, EPA Region II, at (212) 264-0106. I hope you will give these matters your immediate attention.

Sincerely yours,



William J. Librizzi
Director
Emergency and Remedial Response Division

Enclosures